

AFH

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

FILED

SEP 03 2014

JULIE A. RICHARDS, CLERK
US DISTRICT COURT, EDC
BY DEP CLK

NO. 5:14-CR-120-H

UNITED STATES OF AMERICA)	
)	
v.)	<u>SUPERSEDING CRIMINAL</u>
)	<u>INFORMATION</u>
TERESA LYN FLETCHER)	
_____)	

The United States Attorney charges:

INTRODUCTION

1. The Federal Deposit Insurance Corporation was an agency of the United States established to protect depositors against substantial loss and thus to instill public confidence in the nation's banks and prevent bank collapse.

2. Bank of North Carolina was a financial institution within the meaning of 18 U.S.C. § 20 headquartered in Thomasville, North Carolina, the deposits of which were insured by the Federal Deposit Insurance Corporation.

3. TD Bank, N.A. (TD Bank) was a financial institution within the meaning of 18 U.S.C. § 20 headquartered in Wilmington, Delaware, the deposits of which were insured by the Federal Deposit Insurance Corporation.

COUNT ONE

(Title 18, United States Code, Section 1344 - Bank Fraud)

4. The allegations contained in Paragraphs 1 and 2 above are re-alleged and incorporated herein by this reference.

5. From on or about January 18, 2013, and continuing until on or about April 5, 2013, in the Eastern District of North Carolina and elsewhere, defendant TERESA LYN FLETCHER did knowingly and intentionally devise a scheme and artifice to defraud Bank of North Carolina, and to obtain money and property owned by and under the custody and control of Bank of North Carolina, by means of materially false and fraudulent pretenses, representations, and promises.

Scheme and Artifice

6. The object of TERESA LYN FLETCHER's scheme and artifice was to obtain a personal loan from Bank of North Carolina.

7. It was part of the scheme and artifice that TERESA LYN FLETCHER submitted a credit application in which she falsified her asset information.

8. It was further part of the scheme and artifice that TERESA LYN FLETCHER provided paystubs which falsely and fraudulently reflected her receipt of \$541,000 in wages during 2012.

9. It was further part of the scheme and artifice that TERESA LYN FLETCHER, after defaulting on her obligation to repay the loan, filed a false report with Equifax, a consumer credit reporting agency, in which she falsely claimed that the loan was the result of identity theft.

Execution

10. On or about January 28, 2013, in the Eastern District of North Carolina, TERESA LYN FLETCHER did knowingly execute the scheme and artifice to defraud Bank of North Carolina, and to obtain money and property owned by and under the custody and control of Bank of North Carolina, by withdrawing \$8,000 of the loan proceeds.

All in violation of Title 18, United States Code, Section 1344.

COUNT TWO

(Title 18, United States Code, Section 1344 - Bank Fraud)

11. The allegations contained in Paragraphs 1 and 3 above are re-alleged and incorporated herein by this reference.

12. From on or about December 19, 2012, and continuing until on or about October 16, 2013, in the Eastern District of North Carolina and elsewhere, defendant TERESA LYN FLETCHER did knowingly and intentionally devise a scheme and artifice to defraud TD Bank, and to obtain money and property owned by and

under the custody and control of TD Bank, by means of materially false and fraudulent pretenses, representations, and promises.

Scheme and Artifice

13. The object of TERESA LYN FLETCHER's fraudulent scheme and artifice was to obtain a \$1.472 million loan and a \$183,010 home equity line of credit from TD Bank to finance the purchase of a residence located at 2905 Cone Manor, Raleigh, North Carolina (Cone Manor Property).

14. It was part of the scheme and artifice that TERESA LYN FLETCHER completed a residential loan application in which she falsified her assets and income information and made a false declaration that no part of the down payment was borrowed.

15. It was further part of the scheme and artifice that TERESA LYN FLETCHER provided false and fraudulent IRS Forms W-2 indicating that she received \$541,000 in wages in 2011 and 2012, respectively.

16. It was further part of the scheme and artifice that TERESA LYN FLETCHER provided false and fraudulent bank statements for an account that was closed by that time.

17. It was further part of the scheme and artifice that TERESA LYN FLETCHER executed a settlement statement (HUD-1) during the closing of the Cone Manor Property in which she falsely claimed receipt of a "gift of equity" from the sellers to fund the purchase, when in truth and in fact, as the

defendant well knew, this was a loan she had negotiated with the sellers and was indebted to repay.

18. It was further part of the scheme and artifice that TERESA LYN FLETCHER, after defaulting on the TD Bank loans, filed a report with Experian, a consumer credit reporting agency, in which she falsely claimed that the loans were the result of identity theft.

Execution

19. On or about February 20, 2013, in the Eastern District of North Carolina, TERESA LYN FLETCHER did knowingly execute the scheme and artifice to defraud TD Bank, and to obtain money and property owned by and under the custody and control of TD Bank, by using over \$1.65 million in loan proceeds to fund the purchase of the Cone Manor Property at closing.

All in violation of Title 18, United States Code, Section 1344.

COUNT THREE

(Title 18, United States Code, Section 1341 - Mail Fraud)

20. The allegations contained in Paragraphs 11 through 19 above are re-alleged and incorporated herein by this reference.

21. At all relevant times, property insurance coverage for the Cone Manor Property was provided by and through Liberty Mutual Insurance (Liberty Mutual).

22. From on or about May 30, 2013, and continuing until on or about October 1, 2013, in the Eastern District of North Carolina and elsewhere, defendant TERESA LYN FLETCHER did knowingly and intentionally devise a scheme and artifice to defraud Liberty Mutual, and to obtain money and property from Liberty Mutual, by means of materially false and fraudulent pretenses, representations, and promises.

Scheme and Artifice

23. The object of TERESA LYN FLETCHER's fraudulent scheme and artifice was to submit and obtain reimbursements from Liberty Mutual for expenses TERESA LYN FLETCHER purportedly incurred at the Cone Manor Property in connection with a storm that struck the Raleigh area on or around April 19, 2013.

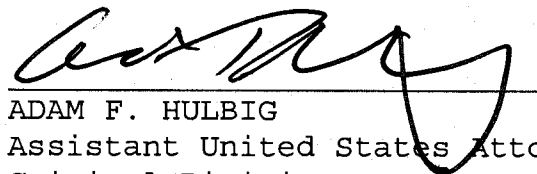
24. It was part of the scheme and artifice that TERESA LYN FLETCHER created false documents and submitted them to Liberty Mutual to support her fraudulent reimbursement claims. For example, TERESA LYN FLETCHER altered a bid proposal she received from a home electronics company to falsely make it appear as if it was an invoice for storm damage-related services that the company performed and TERESA LYN FLETCHER paid. In fact, no such services were ever performed, and TERESA LYN FLETCHER never paid for such services.

Mailing

25. On or about May 30, 2013, in the Eastern District of North Carolina, for the purpose of executing and attempting to execute the above-described scheme and artifice to defraud, defendant TERESA LYN FLETCHER knowingly caused to be delivered by United States mail, according to the directions thereon, a reimbursement check from Liberty Mutual.

All in violation of Title 18, United States Code, Section 1341.

THOMAS G. WALKER
United States Attorney



ADAM F. HULBIG
Assistant United States Attorney
Criminal Division